

Irina Dukhon
Pro se creditor
November 27, 2022

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Chapter 11
)	
CELSIUS NETWORK LLC, <i>et al</i> , 1)	Case No. 22-10964 (MG)
)	
Debtors.)	(Jointly Administered.)

**OBJECTION TO THE DEBTORS' MOTION FOR ENTRY OF AN ORDER (I)
EXTENDING THE DEBTORS' EXCLUSIVE PERIODS TO FILE A CHAPTER 11
PLAN AND SOLICIT ACCEPTANCES THEREOF PURSUANT TO SECTION 1121 OF
THE BANKRUPTCY CODE AND (II) GRANTING RELATED RELIEF (Doc # 1317)**

Dear Chief Judge Glenn:

My name is Irina Dukhon, and I am a *pro se* creditor with funds in the portfolio portion called Earn. Please excuse my blunt language, however I prefer not to be flowery in my objection to the Debtors' filing to extend the exclusivity period.

It is my view that Kirkland & Ellis and Celsius' Special Committee on Restructuring are abusing the bankruptcy process to defend the people whose actions and ethics are being seriously questioned and who got us into the predicament we find ourselves in. Perhaps, it is to be expected, as Alex Mashinsky, Celsius' former CEO, hand-picked Kirkland & Ellis and played a key role in the selection of the Special Committee. And while it might be appropriate to protect the Debtor normally, this particular one should not be given typical allowances. (As a side note,

at the time of resignation, Alex Mashinsky was represented by a highly ranked law firm specializing, among other things, in white collar crime.) (See Exhibits A-B)

From the outside, it appears to me that Kirkland & Ellis is using all kinds of creative solutions to legally protect Celsius' old leadership and keep the bankruptcy process going indefinitely with little regard for Celsius customers' best interests (i.e. to quote you, Judge Glenn, "blow[ing] off *pro se* creditors," or insinuating in their use of language in the last exclusivity filing that multiple *pro se* creditors agreed to extend the exclusivity period):

"...The Debtors have held countless conferences, made members of management available for informal interviews and examination under oath, provided stakeholders access to hundreds of thousands of documents, and developed a comprehensive reporting package and disclosures regarding their fiat currency, coins, and coin security, all in an effort to engage with these constituencies..." [D.R. 1317, pg. 7]

The main point of my objection is to state that I, and an overwhelming majority of the people in public depositor forums I engage in actively, want nothing to do with Celsius, as it stands, today or going forward. (Please see Exhibit C)

The Debtor is continuing to insist that there is a standalone plan on the horizon. However, it has yet to share any of the details after nearly four months of supposed restructuring. There is also no communication with the creditors to learn about what we would find as an acceptable

restructuring, or how we even might resolve issues between Earn, Loans, Custody, and Withhold through a restructuring plan.

While the Debtor stays quiet, please note that Alex Mashinsky continues to speak in public spaces, most recently on Saturday, November 26, to suggest the direction the lawyers should take this case in: “I love this idea of getting FTX pay for the hole... Let’s make sure the [lawyers] focus on this instead of on all the B.S. they are working on.” (Exhibit D) This is a diversion tactic to avoid taking responsibility and being held accountable for past actions detrimental to my and others’ finances.

I believe whatever plan Celsius proposes would not be approved by the creditors or the regulators. I, and many others, have completely lost faith and trust in that organization months ago. Their lack of transparency (such as their non-responses to the UCC deposition questions in D.R. 1406), with no significant progress, only adds to the distrust.

By requesting to extend exclusivity, the Debtor is asking for more time to clean up its mess by wasting even more of my money. Of note, the current estimation of funds lost is about 50%. Tens of millions of dollars have been spent already in this bankruptcy with the Debtors filing a motion to sell our stablecoins to continue to fund their operation. My question is: how much more will be gone by the end of the extension? I am having a difficult time seeing how these actions are for the benefit of the retail customer such as myself.

Even if, by some miracle, the emergent plan is approved by all the regulators from 40 different states (and possibly the SEC and similar federal agencies), I would run as soon as I can. I do not trust a plan that is put forward by the Debtor, particularly if the plan is meant to be executed by the current Celsius team. With my full attention directed toward all things Celsius bankruptcy, my sense is that most other creditors would remove their remaining assets from the platform. In such a scenario, there is no viable business for Celsius with its current management in charge post-bankruptcy.

In conclusion, I object to the Debtor's request to extend exclusivity. I also ask that the bidding procedures be revamped, so that outside bidders are provided any and all necessary information and clarity to place good, competitive bids.

Please know that there is so much crypto expertise and experience in this community, Your Honor. Allow us, who have thought deeply and thoroughly about this situation, to dialogue with and assist bidders in putting together the strongest offers possible.

I ask for your help to end this bankruptcy as soon as it's possible with a favorable outcome for us, the creditors.

Thank you so much for your consideration.

Respectfully signed,

Irina Dukhon

Ventura County, CA
Dated: November 27, 2022

/s/ Irina Dukhon
Irina Dukhon

Exhibit A:

Celsius Network CEO Submits Letter of Resignation

September 27, 2022 10:00 AM Eastern Daylight Time

HOBOKEN, N.J.--(BUSINESS WIRE)--Celsius Network CEO Alex Mashinsky has submitted his letter of resignation, effective immediately, to the Special Committee of the Board of Directors of Celsius Network Limited.

"I believe we all will get more if Celsiusians stay united and help the UCC with the best recovery plan. I remain willing and available to continue to work with the Company and their advisors to achieve a successful reorganization."

 [Tweet this](#)


"I elected to resign my post as CEO of Celsius Network today. Nevertheless, I will continue to maintain my focus on working to help the community unite behind a plan that will provide the best outcome for all creditors – which is what I have been doing since the Company filed for bankruptcy," Mr. Mashinsky said. He continued: "I believe we all will get more if Celsiusians stay united and help the UCC with the best recovery plan. I remain willing and available to continue to work with the Company and their advisors to achieve a successful reorganization."

The text of Mr. Mashinsky's resignation letter reads as follows:

Effective immediately, please accept my resignation as CEO of Celsius Network Ltd, as well as my directorships and other positions at each of its direct and indirect subsidiaries, with the exception of my director position at Celsius Network Ltd. I regret that my continued role as CEO has become an increasing distraction, and I am very sorry about the difficult financial circumstances members of our community are facing. Since the pause, I have worked tirelessly to help the Company and its advisors put forward a viable plan for the Company to return coins to creditors in the fairest and most efficient way. I am committed to helping the Company continue to flesh out and promote that plan, in order to help account holders become whole.





Cadwalader, Wickersham & Taft LLP represents Mr. Mashinsky.

Exhibit B:



Cadwalader, Wickersham & Taft LLP

20 National Rankings & 29 Metro Rankings

Overview Rankings

Overview

Firm profile information not available.

Are You Affiliated with This Firm?

Create your profile to feature all of the most important information that existing and potential clients want to know about your firm.





[LEARN MORE »](#)

Rankings

Cadwalader, Wickersham & Taft LLP is nationally ranked in 20 practice areas and regionally ranked in 29 practice areas. The *U.S. News - Best Lawyers*® "Best Law Firms" rankings are based on a rigorous evaluation process.

READ HOW WE RANK FIRMS »

National Rankings

 Tier 1 in Corporate Law	 Tier 1 in Derivatives and Futures Law
 Tier 1 in Criminal Defense: White-Collar	 Tier 1 in Employee Benefits (ERISA) Law

Regional Rankings

Charlotte





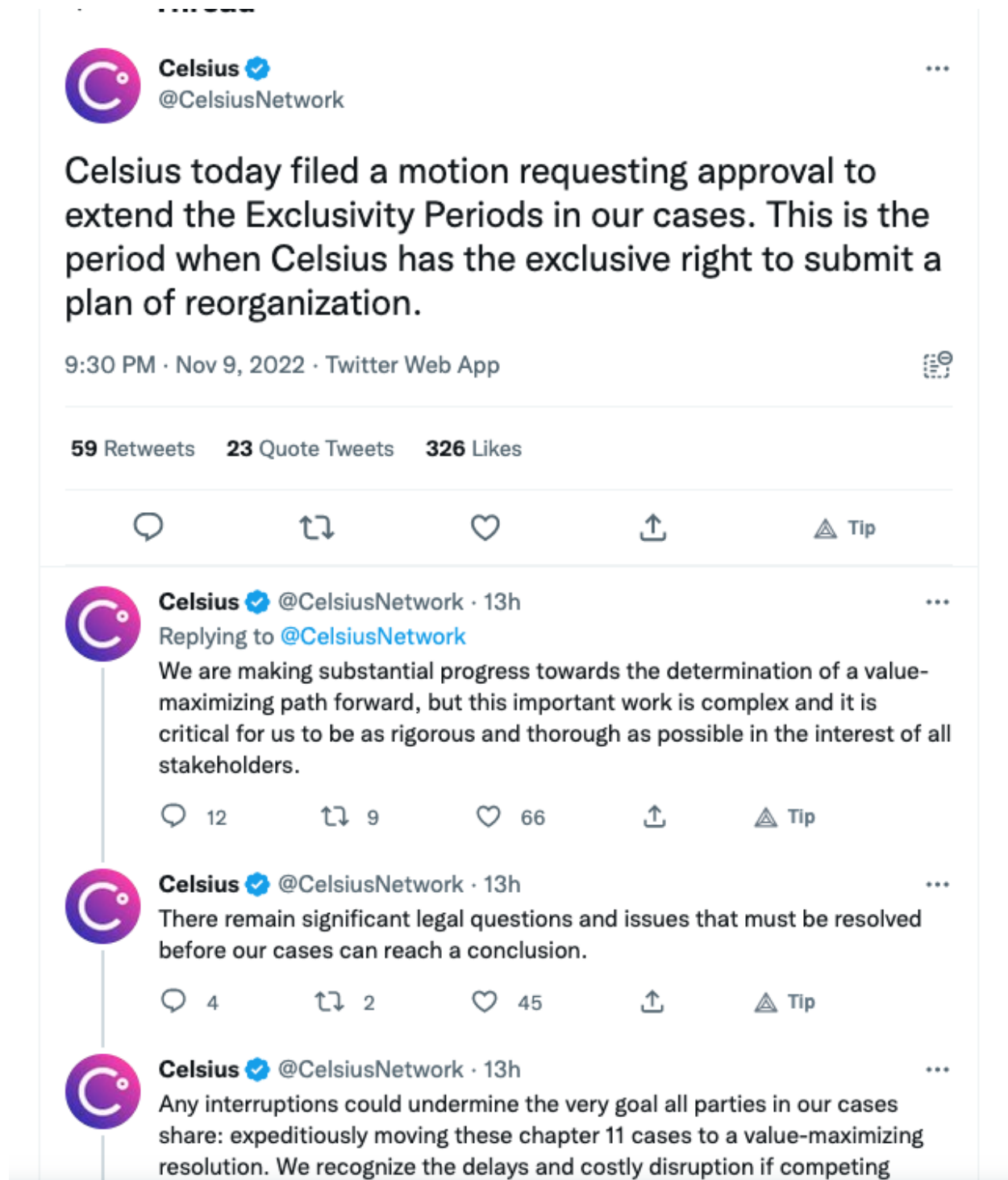
 Tier 1 in Banking and Finance Law	 Tier 1 in Litigation - Regulatory Enforcement (SEC, Telecom, Energy)
 Tier 1 in Derivatives and Futures Law	 Tier 1 in Litigation - Securities

Exhibit C:



resolution. We recognize the delays and costly disruption if competing plans were to be proposed.

11

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78



Tip



Celsius  @CelsiusNetwork · 13h

...

We plan to continue advancing our productive conversations with important stakeholders in our cases to put forward a strong and comprehensive plan.

35

8

85



Tip



AZcrypt  @ZcryptA · 13h

...

Replying to @CelsiusNetwork

Bleed us dry

1



17



Tip



J. Cuba @RealJCuba · 13h

...

Replying to @CelsiusNetwork

Stop paying employees out of our pockets. Stop the theft.

3

1

40



Tip



Sam Lovell @sam_anyroad · 13h

...

Replying to @CelsiusNetwork

WHAT A JOKE YOU GUYS ARE!!

3



21



Tip



kurtis  @kurtis_au · 13h

...

Replying to @CelsiusNetwork

Honestly guys, what have you been doing for the past 5 months... Glad you're spending so much money though!

3

2

42



Tip



AMP_Nation @DecentralizedCD · 13h

...

Replying to @CelsiusNetwork

Go away



1



20



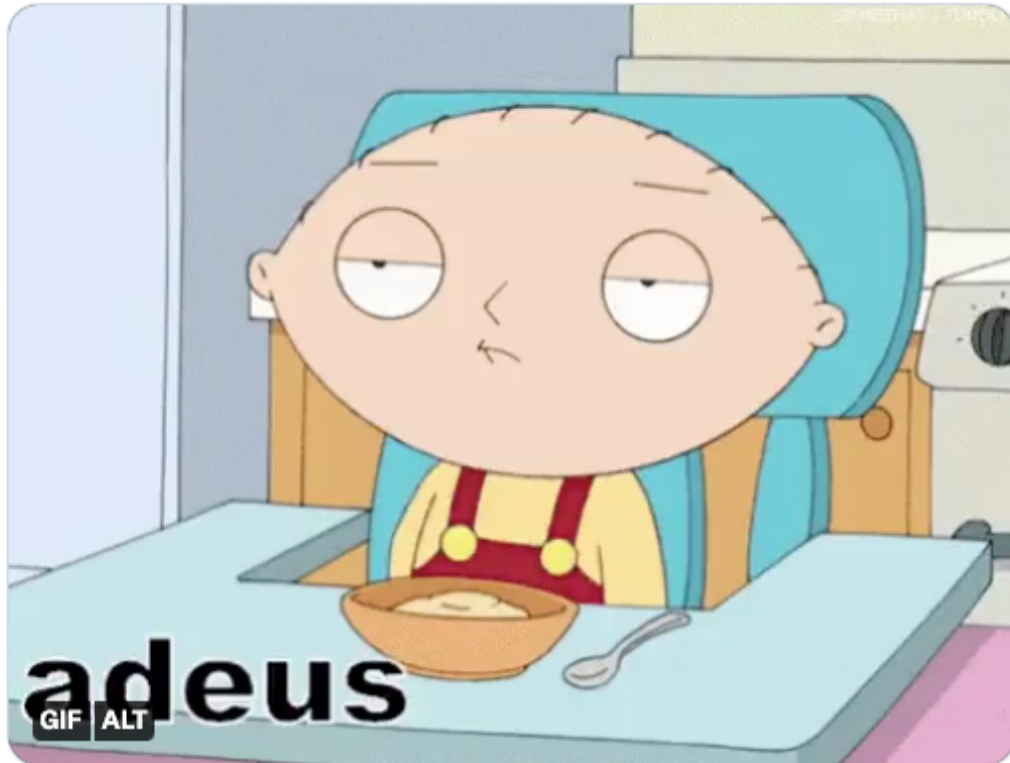
Tip



Tarek @javim777 · 12h

...

Replying to @CelsiusNetwork



34



Tip



jewels @CoefieldJulie · 12h

...

Replying to @CelsiusNetwork

STOP IT ALREADY!!!! WE DONT WANT YOU ANY MORE!!!



4



29



Tip

- 

Travis (❤️, 🧡) @Travis00298364 · 12h

Replying to @CelsiusNetwork

Despite all the hate, I appreciate the updates. 👍

2 1 8 Tip
- 

feend. @feeend · 12h

Replying to @CelsiusNetwork

Definitely should've had it figured out by now.

3 1 22 Tip
- 

CM B @digital_yvr · 12h

Replying to @CelsiusNetwork

So explain why @Mashinsky and others were withdrawing funds from Celsius when retail investors remain on the sidelines during this insolvency proceeding? Shady stuff. And yet you're requesting extra time to sort through your crap and holding investors hostage forcing acceptance.

3 1 23 Tip

Exhibit D:

https://twitter.com/camcrews/status/1596655260868689920?s=52&t=56959N_SMHMeXHUOYimWww

📶 VZW Wi-Fi 🔋 9:39 AM 52% 🔋



The Financer
@TheFinancer



NEWS: Alex @Mashinsky suggests that the lawyers from #Celsius and the UCC sue #FTX and ask them to pay for Celsius' hole.



Alex Ma...



Speaker



Tweet your reply

